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10 Attorneys for Defendant WALTER DAWYDIAK

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 UNITED STATES OF AMERICA,

15 Case No. 22-cr-00457 SI

16 Plaintiff

17 vs.  
18 **STIPULATION AND [PROPOSED]**  
**ORDER TO CONTINUE**  
**SENTENCING FROM JUNE 23, 2023**  
**TO AUGUST 18, 2023**

19 WALTER DAWYDIAK,

20 Defendant.  
21 Crt.: Hon. Susan Illston  
22 Sentencing Hearing: June 23, 2023 at  
23 12:00 p.m.

24 **STIPULATION**

25 Defendant Walter Dawydiak, by and through his counsel, Edward W. Swanson and Britt  
26 Evangelist, and the United States, by and through Assistant United States Attorney Benjamin  
27 Kingsley, hereby stipulate and agree and respectfully request that the Court issue an order  
28 continuing the sentencing hearing currently set for June 23, 2023 until August 18, 2023 at 11:00  
a.m. The basis for the relief requested is as follows:

1. The defendant was arraigned on an information and pled guilty on February 10,

1 2023. Dkt. Nos. 10-14.

2 2. At change of the plea, the parties advised the Court that they anticipated working  
3 cooperatively to arrive at a stipulated restitution figure to present to the Court at sentencing and  
4 requested that the Court set a sentencing date in June to allow time for the parties to perform this  
5 work.

6 3. Since change of plea, the parties have worked diligently and cooperatively to  
7 resolve all outstanding restitution issues and continue to anticipate presenting an agreed-to  
8 restitution figure at sentencing. However, the parties require additional time to finish this work.

9 4. The parties therefore stipulate and agree and respectfully request that the Court  
10 continue the currently set sentencing hearing to August 18, 2023 at 11:00 a.m.

12 5. Probation Officer Brian Casai has no objection to the relief requested and is  
13 available on the proposed new date.

14  
15 **IT IS SO STIPULATED.**

16 Dated: June 7, 2023

Respectfully submitted,

17 ISMAIL J. RAMSEY  
18 United States Attorney

19 \_\_\_\_\_/s/  
20 BENJAMIN KINGSLEY  
21 Assistant United States Attorney

22 SWANSON & McNAMARA LLP

23 Dated: June 8, 2023

24 \_\_\_\_\_/s/  
25 EDWARD W. SWANSON  
26 BRITT EVANGELIST  
27 Counsel for Walter Dawydiak

## [PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. Having reviewed the stipulation submitted by the parties, the Court finds that good cause supports continuing the sentencing hearing in this matter from June 23, 2023 to August 18, 2023 at 11:00 a.m.

## IT IS SO ORDERED.

DATED: June \_\_, 2023

**HONORABLE SUSAN ILLSTON**  
United States District Court Judge